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BROOKLYN OFFICE

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March 20, 2012

VIA E.C.F.

The Honorable Sandra L. Townes
United States District Judge
Eastern District of New York
225 Cadman Plaza East
Brooklyn, New York 11201

The application is ☒ granted.
SO ORDERED. ☐ denied.

s/ SLT

Sandra L. Townes, U.S.D.J.

Dated: March 21, 2012
Brooklyn, New York

Re: United States v. Michael Virtuoso
Docket No. 11 CR 508 (SLT)

Dear Judge Townes:

I am writing to request that Mr. Virtuoso's sentencing, currently scheduled for Monday, March 26, 2012 at 11:30 A.M. be adjourned to any day and time the week of May 1, 2012 or on a date and time thereafter that is convenient for the Court.

Mr. Virtuoso has been recently diagnosed with a hernia. The physicians at the Metropolitan Correction Center (MCC) have recommended surgery and are currently coordinating the surgery with an outside facility.

More importantly, Mr. Virtuoso is experiencing significant pain when moving because of the hernia. As a result, he can not stand or remain seated for extended periods of time and has been prescribed pain medication. Accordingly, defense counsel does not wish to expose Mr. Virtuoso to the process of being transported to and from court given his current physical impediments and medical condition.

I have been in constant contact with legal counsel for the MCC and they have informed me that while they can not provide me

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with a definite date for surgery based on institutional regulations, they believe that surgery will likely occur within approximately three weeks.

Therefore, based on Mr. Virtuoso's constant pain and incumbent surgery, it is respectfully requested that Mr. Virtuoso's sentencing be adjourned until any day and time the week of May 1, 2012 or on a date and time thereafter that is convenient for the Court, so that he may have sufficient opportunity to recover from surgery and be fit for sentencing.

I have spoken with A.U.S.A. Stephen Frank and consents to the aforementioned request.

Respectfully submitted,



Joseph DiBenedetto

cc: Mr. Stephen Frank,
Assistant United States Attorney
(Via E.C.F.)